

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

DEBORAH LAUFER.,

Plaintiff,

v.

VRAJ HOSPITALITY, LLC

Defendant.

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CASE NO.: 1:20-CV-53 (LAG)

ORDER

Before the Court is a request by the Clerk of Court to review two docket notices regarding Defendant's failure to hire counsel or file a *pro hac vice* application. (*See* Docket). The Court held a show cause hearing on March 4, 2021 to determine whether Plaintiff's Complaint should be dismissed for failure to adhere to the Court's Scheduling and Discovery Order. (Doc. 21). The Court found that Plaintiff met her burden for good cause and the Court dissolved the Show Cause Order (Doc. 12). (Doc. 21). Defendant's registered agent, Ms. Sujata J. Patel, was present at the show cause hearing. (*See id.*). Ms. Patel, who is a Florida licensed attorney, asked if she could represent Defendant *pro se*. The Court informed Ms. Patel that because Defendant is a limited liability company (LLC) it could not be represented *pro se*. *See Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385 (11th Cir. 1985) ("The rule is well established that a corporation is an artificial entity that can act only through agents, cannot appear *pro se*, and must be represented by counsel." (citations omitted)). The Court also informed Ms. Patel that she could either hire counsel or apply to be admitted *pro hac vice* pursuant to the rules located on the Middle District of Georgia's website.¹

¹ *See Attorney Admissions*, U.S. DIST. CT. MIDDLE DIST. OF GA., <https://www.gamd.uscourts.gov/attorney-admissions> (last visited April 22, 2021).

On March 18, 2021, the Clerk of Court notified the Court that Ms. Patel had not submitted her *pro hac vice* application. (See Docket). The same day, the Clerk of Court sent a notice to Ms. Patel that if she did not submit her application within fourteen days a show cause hearing would be scheduled. (See *id.*). Ms. Patel emailed the Court on March 30, 2021 asking to appear *pro se* in this case because she does not meet the *pro hac vice* requirements and because the Georgia attorney she hired is not admitted to practice in federal court. Two days later, the Court responded and reiterated that Defendant must be represented by counsel because it is an LLC. To date, Ms. Patel has not submitted a *pro hac vice* application or hired another attorney admitted to practice in federal court. Accordingly, Ms. Patel and Defendant are **ORDERED** to appear at a show cause hearing on **May 5, 2021 at 3:00 PM ET via Zoom** to show why they should not be deemed to have defaulted. See, e.g., *Isabella Marine Holding, LLC v. Purcell*, No. 15-10168-CIV-MARTINEZ/GOODMAN, 2017 WL 3392498, at *4 (S.D. Fla. Aug. 8, 2017) (recommending that the district court use its inherent authority to enter default against defendant for failure to comply with court orders to retain counsel), *report and recommendation adopted sub nom. Isabella Marine Holdings, LLC v. Purcell*, No. 15-10168-CIV, 2017 WL 10753131 (S.D. Fla. Aug. 23, 2107); see also *Tumi v. Wally's Waterfront Inc.*, No. 2:05-cv-551-FtM-29SPC, 2007 WL 678013, at *1 (M.D. Fla. Mar. 5, 2007) (finding entry of default judgment was appropriate after corporate defendant failed to obtain counsel as directed by the court).

SO ORDERED, this 27th day of April, 2021.

/s/ Leslie A. Gardner
LESLIE A. GARDNER, JUDGE
UNITED STATES DISTRICT COURT